

BARNWELL COUNTY COUNCIL
April 9, 2013
Council Meeting
MINUTES

Pursuant to the Freedom of Information Act, the news media was notified and notice was posted 24 hours prior to the meeting.

Barnwell County Council met on April 9, 2013 at 6 pm in Council Chambers. In attendance were Chairman Freddie Houston, Councilman Harold Buckmon, Councilman Jerry Creech, Councilman Lowell Jowers, Councilman David Kenner, Councilman Keith Sloan, Councilman Joe Smith, Administrator Pickens Williams Jr., County Attorney J.D. Mosteller and Clerk to Council Kim Futrell. Also in attendance were Sheriff Ed Carroll and Jonathan Vickery with the People Sentinel.

Public Hearing

A Public Hearing was held to receive comments prior to the 3rd Reading of an Ordinance Related to Excessive Noise. Chairman Houston said that there would be another Public Hearing concerning the Ordinance at the May 14th Council meeting. There were no comments.

Call to Order / Invocation / Declaration of a Quorum

Chairman Houston called the meeting to order. Councilman Kenner gave the invocation and a quorum was declared.

Approval of Agenda / Approval of Minutes

Councilman Jowers moved to approve the agenda. Councilman Sloan seconded the motion and it passed. Councilman Sloan moved to approve the revised minutes of the March 12th Council meeting. Councilman Buckmon seconded the motion and it passed.

Welcome / Public Comments

Chairman Houston welcomed everyone to the meeting and asked if there were any public comments. Ed Golden with the Department of Juvenile Justice was on the agenda to speak under Public Comments. He did not attend. There were no public comments.

Updates

Clerk of Court

Rhonda McElveen was unable to attend. Her report was distributed to Council prior to the meeting.

Sheriff

Sheriff Carroll said that the Sheriff's Department had purchased a decibel meter and a calibration unit. The March jail count was; average - 53, high - 59, April 2nd - 47. Sheriff Carroll requested that Council review the two inmate medical healthcare service proposals in his report prior to budget finalization and he added that he would not be asking for any additional money in the budget to fund medical healthcare service at the Jail. Sheriff Carroll said he had received the 911 reimbursement for \$195,690.93 and had relinquished it to the County because in 2012 the County had paid the first installment of \$135,257.07 on the loan. Sheriff Carroll asked that Council approve returning \$28,086 out of the \$195,690.93 he had relinquished, to the Sheriff's Department to purchase a jail management software system. Councilman Sloan asked if the Sheriff thought that jail operation costs would be reduced due to a lower inmate census. Sheriff Carroll said he could not say the census would remain at a constant low due to the severity of some offenses. Councilman Sloan asked if the software could guarantee accurate information to a reasonable degree. Sheriff Carroll said any inaccuracies in the system would be due to human error, which could be traced and handled. Councilman Sloan asked if the Clerk of Court's Office would benefit from the new software system. Sheriff Carroll said the Clerk of Court was mandated to use QS1 software and it would be of no use to their office but that the software was being used by all three municipalities.

County Administrator

Administrator Williams said the Detention Center's heating element on the diesel generator had been repaired and because of its age, it would need to be replaced soon. The Business Office was gathering information as to the scope of work involved in maintaining the dirt roads in the County so that an RFP could be advertised for proposals as requested by Council. The Fire Commission had approved the purchase of two acres of land on Hwy 300 for a substation which would help in lowering rates in the area. A firefighter 2 class in Snelling had started and 20 firefighters were enrolled. Jamie Faircloth met with the Mayor in Hilda regarding potential road projects. The Solid Waste Department was obtaining the scrap metal prices. Councilman Creech asked if the air conditioner donated to the Friendship Fire Department had been installed. Administrator Williams said he would check into it and would contact Council.

Committee ReportsBoards and Commissions

The following appointments/re-appointments/nominations were made:

Councilman Buckmon	Nominate	Career Board #45	Barbara Kearse
Councilman Creech	Nominate	Career Board #45	Eve M. Hogarth
Councilman Creech	Nominate	Building Code Appeals #7	Keith B. Kinard
Councilman Kenner	Re-Appoint	Career Board #19	Teresa Hughes
Councilman Kenner	Re-Appoint	Axis 1 – Seat 12	Retha Corely
Councilman Kenner	Appoint	Fire Commission #2	Harold Coley
Councilman Kenner	Re-Appoint	Transportation Committee #2	LaCinda McCormack
Councilman Jowers	Re-Appoint	Economic Dev. Brd. #4	Loretta Atkinson
Councilman Jowers	Appoint	Transportation Committee #4	Andy Weeks
Councilman Sloan	Re-Appoint	Career Board #29	Tommy Boylston
Councilman Sloan	Re-Appoint	Economic Dev. Brd. #3	Pete Grady
Councilman Smith	Appoint	Fire Commission #11	Josh Morton
Councilman Smith	Appoint	Transportation Committee #5	Randolph Williams

Councilman Jowers moved to appoint Councilman Sloan as Treasurer on the LSCOG Board. Councilman Creech seconded the motion and it passed. Councilman Sloan moved to appoint Shannon Mundy to the Workforce Development Board representing Public Employment Services. Councilman Kenner seconded the motion and it passed. Concerns were expressed regarding the need for and the extent of confidentiality required while being appointed to the Southern Carolina Alliance Board. Discussion was also held concerning a possible new appointment to the Board. The matter was tabled until the next regularly scheduled Council meeting pending a decision from the Southern Carolina Alliance Board.

Economic Development

Councilman Jowers moved to approve the 3rd Reading of a Fee-in-Lieu of Tax Agreement for Project Belt. Councilman Sloan seconded the motion and it passed. Councilman Jowers moved to approve the 3rd Reading of a Fee-in-Lieu of Tax Agreement for Project Panel. Councilman Sloan seconded the motion and it passed.

Finance Committee

There was no report. Councilman Sloan said that the Finance Committee would be meeting in late April and encouraged Council's attendance and participation.

Financial Update

Administrator Williams reviewed February's financial statement giving clarification on revenue item 00400. He said that the first half of the DOE'S PILT was received in February and the second half should arrive in June or July. He said that he had just received the DOE's approval on the RFP that he, with the help of Mike Hughes and JD Mosteller, had compiled 8 months ago. The RFP would be advertised in the Barnwell, Allendale, Aiken newspapers and on a Statewide basis. Chairman Houston asked Administrator Williams to remind the schools of the costs involved as they were going through their budget process also. Administrator Williams said he had done this in previous years and would do so again this year.

Government Committee

Chairman Houston asked Administrator Williams to coordinate a meeting between the Government Committee, County Council and the school districts to discuss consolidation.

HealthCare Committee

Councilman Jowers said he and Chairman Houston had attended a hearing on April 8th and that the Court had approved the Hospital bankruptcy settlement, the settlement with RHS, the substitute APA with Resurgence and the County had been approved to sell the Hospital. Chairman Houston said that it was never Councils intent to close the Hospital but to help provide the best healthcare for the County that could be provided. Councilman Sloan said that the Hospital had been and was still unable to financially maintain itself and that the County did not have the funds to continue helping to support the Hospital.

Housing Committee

Councilman Buckmon moved to approve the Resolution Designating April and Fair Housing Month. Councilman Sloan seconded the motion and it passed.

Judicial Committee

Councilman Buckmon moved to approve the request from Sheriff Carroll that \$28,086 out of the \$195,690 relinquished by Sheriff Carroll be returned to the Sheriff's Department to purchase Jail Management Software. Councilman Smith seconded the motion. Councilman Sloan said that the Sheriff had relinquished \$195,690 to the County to be used at the County's disposal but that the County had made the first loan payment of \$135,257 in 2012. A second payment of \$135,257 was due on April 28th and would need to be paid by the County which meant there was no excess money. Councilman Sloan made an amended motion that the Finance Committee meet with the Judicial Committee and Sheriff Carroll to determine if a different funding source could be used to fund the software. Chairman Houston said that the reimbursement from was for no specific anticipated amount. The reimbursement was \$195,690 which allowed for reimbursement to the County for the first payment with funds left over which could be used toward the purchase of the software. Councilman Sloan said that the \$195,690 was reimbursement for the first payment of \$135,257 paid by the County in 2012 and, to help preserve the County's cash on hand, that any money left over should be applied to the second payment of \$135,257 which was due in 19 days. He confirmed with Administrator Williams that the loan extended to 2021. He said he supported the purchase of the software but thought that there could be another funding source found for the purchase of the software. Chairman Houston suggested approving the motion to purchase using the funds out of the \$195,690 and that the Finance Committee could meet to determine how to reimburse the account for the \$28,086 spent on the software. There was further discussion as to options of funding the software, the purpose of the \$195,690, the County's possible liability with the current software system should an incorrect picture print out for a FOIA request and that there were two pending claims with the Insurance Reserve Fund. Councilman Creech moved to approve Councilman Buckmon's original motion for the purchase of the software for \$28,086 out of the \$195,690. Councilman Jowers seconded the motion and it passed.

Personnel, Science/Technology/Regulatory Matters, SCRDA and Services Committees

There were no reports for the above Committees.

Safety Committee

Councilman Creech moved to increase the EMS contract by 2% and to extend the EMS Service Contract for an additional year. Councilman Sloan seconded the motion. Councilman Sloan said he believed that there was already an agreement to extend the contract an additional year with a 2 % increase and suggested, because the County had a two year commitment with the Hospital, that Councilman Creech meet with the Williston Rescue Squad regarding changing it to a two year extension on the contract with a 2% increase each year. There was discussion with County Attorney JD Mosteller as to whether a two year extension was legally permissible. Attorney Mosteller said he would have to review the last amendment. Councilman Sloan made a motion that if it were legally permissible, that Councilman Creech meet with the Williston Rescue Squad to have a two year extension on the contract with a 2 % increase each year to cover the County for their two year commitment to the Barnwell County Hospital. Councilman Kenner seconded the motion and it passed.

Transportation Committee

Councilman Creech said Curtis Drive was being paved and many of the other projects were being closed out. He commended the Transportation Committee for their hard work. Councilman Creech said that Jamie Faircloth was requesting a general PIN be assigned which would be discussed at the next Transportation Committee meeting.

Old Business3rd Reading of an Ordinance to Execute and Deliver a Master Park Agreement for the New Quad-County Industrial Park

Councilman Jowers moved to approve the 3rd Reading of an Ordinance to Execute and Deliver a Master Park Agreement for the New Quad-County Industrial Park. The motion was seconded. There was discussion as to what the split was with Horsehead. County Mosteller said that he had not seen the document but had heard that the Town of Snelling had approved a 40/20/20/20 split with their Town's Council. Administrator Williams said that he had spoken with the Town's clerk and that she confirmed that it was the Quad County split that was approved. A roll call vote was requested.

Chairman Houston-Yes
Councilman Buckmon-Yes
Councilman Creech-Yes
Councilman Jowers-Yes

Councilman Kenner-Yes
Councilman Sloan-Yes
Councilman Smith-Yes

The motion passed.

3rd Reading of a Fee-in-Lieu of Tax Agreement for Project Belt

Action was taken on this agenda item during the Economic Development Committee Report.

3rd Reading of a Fee-in-Lieu of Tax Agreement for Project Panel

Action was taken on this agenda item during the Economic Development Committee Report.

3rd Reading of an Ordinance Related to Excessive Noise

The 3rd Reading of an Ordinance Related to Excessive Noise was tabled until the next regularly scheduled Council meeting so that an additional notice could be published in the local paper prior to the 3rd Reading of this Ordinance.

New BusinessRequest from Sheriff Carroll - Jail Management Software

Action was taken on this agenda item during the Judicial Committee Report.

Resolution Designating April as Fair Housing Month

Action was taken on this agenda item during the Housing Committee Report.

1st Reading of an Ordinance to Amend the Fee-In-Lieu of Tax Agreement between the County and Horsehead Zinc Recycling, LLC.

This Ordinance was read in name only.

1st Reading of FY '13-'14 Budget Ordinance

This Ordinance was read in name only.

Resolution Approving Financing Terms for the Purchase of a 2013 John Deere 410k Backhoe Loader for Public Works

Councilman Sloan moved to approve the Resolution Approving Financing Terms for the Purchase of a 2013 John Deere 410k Backhoe Loader for Public Works. Councilman Buckmon seconded the motion and it passed.

Condemnation for Additional Right of Way - Williston Road Project

Councilman Creech moved to approve the Condemnation for Additional Right of Way - Williston Road Project. Councilman Sloan seconded the motion and it passed.

Extension of EMS Service Contract

Action was taken on this agenda item during the Safety Committee Report.

Reconsider Acceptance of Property Willed to the County

Councilman Jowers moved to renounce the gift of land to the County. Councilman Sloan seconded the motion and it passed.

Councilman Sloan moved to enter into Executive Session to discuss a litigation matter. Councilman Buckmon seconded the motion and it passed.

Executive Session

There was no action taken in Executive Session.

Open Session

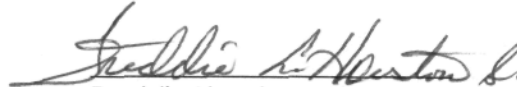
A motion was made to adjourn. The motion was seconded and it passed.

The meeting adjourned at 8:02 pm.

Respectfully submitted,



Kim A. Futrell
Clerk to Council



Freddie Houston
Council Chairman